APPENDIX

The pertinent provisions of the statutes involved that are not set forth in the petition are as follows:

NATIONAL LABOR RELATIONS ACT, as amended, (NLRA) (49 Stat. 449, 61 Stat. 136).

§ 2(13), 29 U.S.C. § 152(13):

> In determining whether any person is acting as an "agent" of another person so as to make such other person responsible for his acts, the question of whether the specific acts performed were actually authorized or subsequently ratified shall not be controlling.

§ 8(b)(1)(A), 29 U.S.C. § 158(b)(1)(A):

> It shall be an unfair labor practice for a labor organization or its agents—
>
> (1) to restrain or coerce (A) employees in the exercise of the rights guaranteed in section 157 of this title: *Provided*, That this paragraph shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein.

LABOR MANAGEMENT RELATIONS ACT (LMRA) (61 Stat. 136).

§ 201(a)(b), 29 U.S.C. § 171(a)(b):

> That it is the policy of the United States that—
>
> (a) sound and stable industrial peace and the advancement of the general welfare, health, and safety of the Nation and of the best interests of employers and employees can most satisfactorily be secured by the settlement of issues between employers and employees through the processes of conference and collective bargaining between employers and the representatives of their employees,
>
> (b) the settlement of issues between employers and employees through collective bargaining may be advanced by making available full and adequate governmental facilities for conciliation, mediation, and voluntary arbitration to aid and encourage employers and the representatives of their employees to reach and

maintain agreements concerning rates of pay, hours and working conditions, and to make all reasonable efforts to settle their differences by mutual agreement reached through conferences and collective bargaining or by such methods as may be provided for in any applicable agreement for the settlement of disputes.

§ 301(b), 29 U.S.C. § 185(b):

Any labor organization which represents employees in an industry affecting commerce as defined in this chapter and any employer whose activities affect commerce as defined in this chapter shall be bound by the acts of its agents.

§ 301(e), 29 U.S.C. § 185(e):

For the purposes of this section, in determining whether any person is acting as an "agent" of another person so as to make such other person responsible for his acts, the question of whether the specific acts performed were actually authorized or subsequently ratified shall not be controlling.

LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT (LMRDA) (73 Stat. 519):

§ 3(o), 29 U.S.C. § 402(o):

"Member" or "member in good standing", when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

§ 101(a)(1), 29 U.S.C. § 411(a)(1):

Equal rights.—Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

§ 101(a)(2), 29 U.S.C. § 411(a)(2):

Freedom of speech and assembly.—Every member of

any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organizations his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: *Provided*, That nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations.

UNITED STATES COURT OF APPEALS

For The Fourth Circuit

No. 8649—John E. Parks, Jr. et al. v. International Brotherhood of Electrical Workers, etc.

Insert as the first full paragraph on page 38 of the slip opinion, the following:

It is noteworthy that in the initial drafts of the bill that became the Taft-Hartley Act (LMRA), provisions were included in both Houses that would have either prohibited industry-wide bargaining or explicitly guaranteed to local unions the right to conduct their own collective bargaining entirely free from international interference. There was extensive debate on these proposals. A strong provision prohibiting industry-wide bargaining was passed in the House of Representatives. In the Senate Committee on Labor and Public Welfare restrictive provisions were eliminated from the Senate bill. When the bill reached the floor, attempts to reinstate such a provision by amendment were defeated. In conference the House yielded to the Senate. Consequently no such restrictive provisions were enacted. See references under "Industry-wide Bargaining," in the Topical Index to the *Legislative History of the LMRA* at p. XXXVI.